

**CALIFORNIA COMMISSION ON DISABILITY ACCESS
RESEARCH AND ANALYSIS DATA COLLECTION PROJECT
COMMITTEE
MEETING MINUTES**

December 22, 2016

1. CALL TO ORDER

Chair Laurie Cohen Yoo welcomed everyone and called the meeting of the Research and Analysis Data Collection Project Committee of the California Commission on Disability Access (CCDA or Commission) to order at approximately 10:00 a.m. at the Westfield Corp., 2049 Century Park East, 41st Floor, Los Angeles, 90067.

The off-site meeting locations for teleconference were the Law Offices of Paul L. Rein, 200 Lakeside Drive, Suite A, Oakland, 94612; Lighthouse for the Blind and Visually Impaired, 1155 Market Street, 10th Floor, San Francisco, 94103; and the Department of Rehabilitation, 721 Capitol Mall, Room 244, Sacramento, 95814.

ROLL CALL

Staff Member Jackson called the roll and announced a quorum was not yet present. A quorum was achieved after Commissioner McGuinness arrived.

Commissioners Present:

Laurie Cohen Yoo, Chair
Steve Dolim (via teleconference)
Celia McGuinness (via teleconference)

Staff Present:

Angela Jemmott, Executive Director
Fajola Jackson, Office Technician
Rhonda Valdry, Staff Services Manager

Commissioners Absent:

Chris Downey

Also Present:

No members of the public addressed the Committee.

2. APPROVAL OF MEETING MINUTES (FEBRUARY 3, 2016, AND MARCH 24, 2016) – ACTION

MOTION: Commissioner McGuinness moved to approve the February 3, 2016, California Commission on Disability Access Research and Analysis Data Collection Project Committee Meeting Minutes as presented. Chair Yoo seconded. Motion carried unanimously.

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MOTION: Chair Yoo moved to approve the March 24, 2016, California Commission on Disability Access Research and Analysis Data Collection Project Committee Meeting Minutes as presented. Commissioner Dolim seconded. Motion carried unanimously.

COMMENTS FROM THE PUBLIC ON ISSUES NOT ON THIS AGENDA

There were no questions or comments from the public.

3. CURRENT INTAKE AND DEMAND LETTERS – UPDATE AND DISCUSSION

a. Current Status

b. Before Funding vs. After Funding

Executive Director Jemmott provided an overview of the current data collection process and reviewed Title III locations, Americans with Disability Act (ADA) codes, cover letters, and forms used in the data collection process and database that were included in the meeting packet.

Chair Yoo asked if the forms had incorporated Committee Member recommendations from prior meetings. Executive Director Jemmott stated the forms have yet to be updated because staff lacks the mechanism to transition to the recommended online format. The forms reflect the manual system that is currently in place.

Chair Yoo asked for an update on the status of additional funding to allow the forms to be made available in an electronic format. Executive Director Jemmott stated \$100,000 has been received to fund an additional staff member and the update to the case resolution form but, as of yearend, this additional funding was not enough to complete the task. January provides another opportunity to receive additional funding.

Executive Director Jemmott stated the Legislature likes to see that decisions have been made and products have been produced. Staff will continue with the manual data collection format while waiting for additional funding. She stated the need to discuss what can be completed with the Case Resolution Form, what the Committee would like to begin researching, and what can be legislatively proposed to the Legislature.

4. CASE RESOLUTIONS – UPDATE AND DISCUSSION

a. Current Status

b. Before Funding vs. After Funding

Executive Director Jemmott provided an overview of the current data collection process and reviewed the data entry fields, cover letter, and forms used in the case resolution data collection process and database that were included in the meeting packet.

Chair Yoo asked about the data entry field "Associated Case Number." Executive Director Jemmott stated it is the original case number. She noted that many times cases are sent to the CCDA without case numbers since attorneys submit the forms to the court and the CCDA simultaneously. They often do not include details such as ZIP

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codes. Also, the manual data collection process does not allow for more than one type of location under one filing.

Commissioner McGuinness asked why the case resolution cover letter asks for the date of resolution. Executive Director Jemmott stated the length of resolution is a question often asked of staff, but the contents of the form can be discussed.

Chair Yoo stated the importance of learning how the length of resolution compares to the length of other kinds of cases and if it varies by jurisdiction. She cautioned that, without the comparison, individuals may draw conclusions in a vacuum.

What was remedied is optional on the form. Commissioner McGuinness asked how much of that information staff has received and where staff pulls the information for Item 23 on the Case Resolution Form. Executive Director Jemmott stated staff gets the information from the original case. Approximately 75 percent of the Case Resolution Forms fill in Item 14.

Commissioner McGuinness suggested including a field for "Other Solutions," where access is created by alternate methods. She asked how resolutions are dealt with in Item 14. Executive Director Jemmott stated staff relies on the form being filled out to show that there was a positive change.

5. YEAR-END REPORTING – DISCUSSION

Chair Yoo asked if staff is tracking areas on the forms where there were no responses so as not to skew the results. Executive Director Jemmott agreed that the information should not be overstated, but wanted to have something to report at yearend; the data collection currently has 1,208 cases yet to be manually entered into the database.

Chair Yoo stated it would be useful to see the forms submitted to determine if something more can be done. She suggested that staff prepare a summary sheet of what was submitted so Committee Members can see if there are trends to investigate or items that should be flagged. She suggested reporting to the Legislature on the numbers of complaints and resolution forms the CCDA collected, how many of those complaints resulted in remedies of the violations, how many demand letters led to complaints, and how many demand letters were submitted by self-identified high-frequency litigants. It may be interesting to note if the majority of complaints are filed in Northern or Southern California.

Executive Director Jemmott cautioned against listing "self-identified high-frequency litigants." Chair Yoo stated it is an opportunity to point out that no mandated funds have been received.

Chair Yoo asked when the report is due. Executive Director Jemmott stated the report to the Legislature is due January 31st, and due to limited staff the data collection is expected to be completed by January 10th. The next Research Committee meeting is scheduled for January 25th. Executive Director Jemmott suggested emailing the draft report to Committee Members for review and feedback prior to the meeting.

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Commissioner McGuinness asked about training for volunteers on violation codes. She stated many complaints lack specificity. She suggested including an explanatory note in the report to the Legislature saying some of this is best efforts based on broad language used in complaints. The information is valuable for showing general areas of noncompliance and reflects proportionately a large percentage of the types of violations received.

Executive Director Jemmott stated staff are not attorneys, yet they are mandated to interpret legal language. She stated she is excited to move forward with better funding and tools to more accurately assist the research effort.

Executive Director Jemmott asked Committee Members to think about what information is needed and what should be researched beyond the data collection area. She asked what research this Committee can provide in the field of CASps. She suggested that the CCDA explain the holes in interpretation of the ADA for businesses, including putting out more information to help businesses to feel empowered.

Chair Yoo suggested that Commissioners take turns writing blog posts on important topics on the website.

6. FUTURE AGENDA ITEMS

This agenda item was not addressed.

7. ADJOURN

There being no further business, the meeting was adjourned at approximately 11:30 a.m.